

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6699

BILL NUMBER: HB 1145

NOTE PREPARED: Dec 29, 2014

BILL AMENDED:

SUBJECT: Civil Immunity for Volunteer Health Care Providers.

FIRST AUTHOR: Rep. Frizzell

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill specifies criteria for civil immunity from liability for certain volunteer health care providers. It requires the Professional Licensing Agency to establish and maintain: (1) a process for the approval of locations at which volunteer health care services may be provided; and (2) a health care volunteer registry.

Effective Date: July 1, 2015.

Explanation of State Expenditures: *Summary-* The Professional Licensing Agency's (PLA) Information Technology (IT) division would establish a registry for volunteer health care providers. There are five types of providers that would be entered into the proposed volunteer registry: physicians, physician assistants, dentists, nurses, and advance practice nurses. There would be a salary cost of approximately \$2,000 to set up the registry, which would likely be accomplished with the PLA's existing IT staff. There would be an ongoing cost of approximately \$250 per week to accommodate administrative expenses such as disk storage and administration from the Indiana Office of Technology.

Explanation of State Revenues: *Civil Liability Immunity-* Fewer civil actions may occur as a result of the protection granted on certain volunteer health care providers. With fewer civil actions, there would be a reduction in court filing fees, which would reduce revenue to the state General Fund and other dedicated funds. However, it is likely that any reduction in filing fees would be minimal.

Additional Information- When a civil action is filed, the civil costs fee is \$100, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city

or town court.

In addition, some or all of the judicial salaries fee (\$20), public defense administration fee (\$5), court administration fee (\$5), and the judicial insurance adjustment fee (\$1) are deposited into the state General Fund. Revenue from the pro bono services fee (\$1) is transferred by the State Auditor to the Indiana Bar Foundation for use to assist with pro bono legal services programs in Indiana. And proceeds from the automated record keeping fee (\$5) are deposited into the State User Fee Fund.

Explanation of Local Expenditures:

Explanation of Local Revenues: *Civil Liability Immunity-* If fewer civil actions occur, local governments would forgo revenue from the following sources. When a civil action is filed, the county general fund receives 27% of the \$100 civil costs fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fees go into the county general fund and 25% into the city or town general fund. Additional fees may be collected at the discretion of the judge, depending upon the particular type of case.

Additional Information- Persons filing a civil case are also required to pay the following fees that are deposited in local funds.

The document storage fee (\$2) is deposited into the clerk record perpetuation fund.

The following fees are deposited into the general fund of the county in which the court is located:

- Document fees (\$1 per document) are charged for preparing transcripts or copies of record or certificate under seal.
- A service fee (\$10) is collected from the filing party for each defendant beyond the first cited in the lawsuit.

State Agencies Affected: Professional Licensing Agency, Office of Technology.

Local Agencies Affected: Trial courts, city and town courts.

Information Sources: Professional Licensing Agency.

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